

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 1, 2009. Claims 1 to 3, 7 to 13, 15 and 17 are pending in the application, of which Claims 1 and 7 are independent. Reconsideration and further examination are respectfully requested.

Claims 7 and 11 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. In particular, the Office Action alleges that the specification does not explicitly describe a first generation unit, a second generation unit and a third generation unit as included in Claim 7. In this regard, Applicant initially noted that Claim 7 was amended to recite a “sending unit”, rather than a third generation unit. In addition, Applicant respectfully directs the Examiner's attention to Figures 3 and 5 and the corresponding text in the specification, and in particular, to the printer driver 203. Applicant submits that the description of the printer driver 203 in connection with Figures 3 and 5 is sufficient to enable one skilled in the art to make and/or use a first generation unit and a second generation unit, as recited in Claims 7 and 11. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 1 to 3, 7, 8 and 10 to 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 6,373,588 (Fischer) in view of U.S. 6,267,517 (Noda) and in further view of U.S. 6,249,741 (Iwasaki). Claims 15 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fischer, Noda, Iwasaki and U.S. 5,887,223 (Sakai). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns creating a single print job for a banner by combining a plurality of print jobs. To do so, an apparatus in accordance with the present invention generates a print job by combining first and second print jobs in which first and second page data and first and second banner print data for printing first and second banner information are included, and generates new banner print data for printing new banner information different from the first and second banner information.

Turning to specific claim language, Claim 1 is directed to a method of sending a print job to a printing apparatus in an information processing apparatus having a printer driver for generating the print job. The method comprises a first generation step of generating a combined print job by combining a first print job and a second print job, the first print job including first page data and first banner print data for printing first banner information, the second print job including second page data different from the first page data and second banner print data for printing second banner information different from the first banner information, a second generation step of generating new banner print data for printing new banner information different from the first banner information and the second banner information, for the combined print job generated in the first generation step and a sending step of sending the new banner print data generated in the second generation step, the first page data and the second page data to the printing apparatus, as the combined print job, such that the new banner print information, without printing the first banner information and the second banner information, is printed on a sheet.

Applicant respectfully submits that the cited references, namely Fischer, Noda and Iwasaki, whether considered alone or in combination, fail to disclose or suggest all of the features of the method of Claim 1. In particular, the cited references, either alone

or in combination, fail to disclose or suggest at least the features of sending a print job to a printing apparatus in an information processing apparatus having a printer driver for generating the print job by a first generation step of generating a combined print job by combining a first print job and a second print job, the first print job including first page data and first banner print data for printing first banner information, the second print job including second page data different from the first page data and second banner print data for printing second banner information different from the first banner information and a second generation step of generating new banner print data for printing new banner information different from the first banner information and the second banner information, for the combined print job generated in the first generation step.

In the Office Action, it is conceded that Fischer combined with Noda fails to disclose or suggest a second generation step of generating new banner print data for printing new banner information different from the first banner information and the second banner information, for the combined print job generated in the first generation step. However, the Office Action cites Iwasaki as disclosing such a feature. Applicant respectfully disagrees with such a characterization of Iwasaki.

Initially Applicant notes that Iwasaki is concerned with an invention for assisting crew itinerary production and is not at all analogous to the present claims which concern printing combined print jobs having banners associated with each of the combined print jobs. In order for a reference to be analogous art, “a reference in a field different from that of Applicant's endeavor may be reasonably pertinent if it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his or her invention as a whole.” (See M.P.E.P. § 2141.01(a).) In

the present application, the problem addressed is how to manage banner information associated with print jobs that are to be combined. In Iwasaki, the problem addressed is how to generate crew rosters for trains given the itinerary of a set of trains. Applicant respectfully submits that techniques used to resolve scheduling problems for train crews is not at all pertinent to the problem at hand relating to dealing with banner data in combined print jobs. Therefore, Applicant respectfully requests that Iwasaki be removed as a reference.

In addition, even if Iwasaki were combined with Fischer and Noda as suggested in the Office Action, a combination that Applicant does not concede is permissible, such a combination would still not have all of the features of the present claims. Iwasaki discloses that crew group schedule data are produced based on N itineraries (N is an integer), and are produced by combining all boarding schedules for crews of one group in one working unit, while several crew members are united in one group. (See Iwasaki, FIGs. 4 and 12.) Therefore, assuming Iwasaki discloses the combining of boarding schedules in a process that may be comparable to Applicant's combining of first and second print jobs (an assumption Applicant makes for the sake of argument and not as a concession of the pertinency of Iwasaki), Applicant submits that such a process is only comparable to the "first generation step" as recited in Claim 1. However, Iwasaki does not disclose or suggest the "second generation step" recited in Claim 1 because the second generation step generates new banner print data for printing new banner information different from the first banner information and the second banner information, for the combined print job generated in the first generation step. The generation of new banner data is not at all addressed in Iwasaki.

In light of these deficiencies in Fischer and Noda as discussed above, Applicant submits that amended independent Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claim 7 is directed to an apparatus substantially in accordance with the method of Claim 1. Accordingly, Applicant submits that Claim 7 is also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each dependent claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

No claim fees are believed due. However, should it be determined that additional claim fees are required under 37 C.F.R. 1.16 or 1.17, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/
Frank L. Cire
Attorney for Applicant
Registration No.: 42,419

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200

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